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PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF HOME AFFAIRS AND JUSTICE
(HOME-2 BRANCH)

NOTIFICATION

The 23rd August, 2021

No. G.S.R. 121/Const./Art.309/2021.-In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules regulating the recruitment, and the conditions of Service of the persons appointed to the Punjab Chemical Examiner Laboratory (Group A) Service, namely:-.

RULES

- 1. Short title, commencement and application.-** (1) These rules may be called the Punjab Chemical Examiner Laboratory, (Group 'A') Service Rules, 2021.
 - (2) They shall come into force on and with effect from the date of their publication in the Official Gazette.
 - (3) They shall apply to the posts specified in Appendix 'A' and the Services of the present staff working in the Chemical Examiner Laboratory appointed by the Department of Health and Family Welfare Punjab shall be governed under these rules.
- 2. Definitions.-** (1) In these rules, unless the context otherwise requires,-
 - (a) " Appendix" means an Appendix appended to these rules;
 - (b) "Government" means Government of the State of Punjab in the Department of Home Affairs and Justice;
 - (c) "Secretary-in-charge" means the Secretary to Government of Punjab in the Department of Home Affairs and Justice; and
 - (d) "Service" means the Punjab Chemical Examiner Laboratory, (Group A) Service.
 - (2) The expressions used in these rules, but not defined, shall have the

respective meanings assigned to these expressions in the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994.

- 3. Number and character of posts.-** The Service shall comprise the posts specified in Appendix 'A' :

Provided that nothing in these rules shall affect the inherent right of the Government to add to or reduce the number of such posts or to create new posts with different designations and scales of pay whether permanently or temporarily.

- 4. Appointing authority.-** Appointment to the Service shall be made by the Government.

- 5. Pay of members of the Service.-** The members of the Services shall be entitled to such scales of pay, as may be authorized by the Department of Finance from time to time. The scales of pay, at present in force in respect of the members of the Service, are given in Appendix 'A'.

- 6. Method of appointment and qualifications.-** (1) Appointment to the Service may be made in the manner as specified in Appendix 'B' ;

Provided that if no suitable candidate is available for appointment to the Service by promotion or by direct appointment, then appointment to the Service may be made by transfer of a person holding a similar or an identical post under the State Government or the Government of India.

(2) No person shall be appointed to any post in the Service unless he possesses the qualification and experience as specified against that post in Appendix 'B'.

(3) Appointment to the Service by promotion may be made on seniority-cum-merit basis and no person may have any right to claim promotion on the basis of seniority alone. In the case of Chemical Examiner, the promotion shall be made on merit-cum-seniority basis.

- 7 Discipline, punishment and appeal:-** (1) In the matters of discipline, punishment and appeal, the members of Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970, as amended from time to time.

(2) The authority empowered to impose penalties, as specified in rule

5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970, and the appellate authority against an order as specified in the Punjab Civil Services (Punishment and Appeal) Rules, 1970 is as per **Appendix 'C'**.

- 8. Application of the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994.-** (1) In respect of the matters, which are not specifically provided in these rules, the members of the Service shall be governed by the provisions of the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994, as amended from time to time.

(2) The Punjab Civil Services (General and Common Condition of Service) Rules, 1994, at present in force, are contained in Appendix 'D'.
- 9. Interpretation.-** If any question arises as to the interpretation of these rules, the Government, in consultation with the Department of Personnel shall decide the same.

APPENDIX 'A'

{ See rules 1 (3), 3 and 5 }

Serial Num- ber	Designation of the post	Number of posts			Scale of pay+ Grade pay (in rupees)
		Perma- nent	Tempo- rary	Total	
1	2	3	4	5	6
1	Chemical Examiner	01	00	01	37400-67000+8600
2	Deputy Chemical Examiner	02	00	02	15600-39100+6000

APPENDIX 'B'

(See rule 6)

Serial Number	Designation of the Post	Percentage for appointment by		Method of appointment, qualifications and experience for appointment by
		Direct appointm- ent	Promotion	Promotion
1	Chemical Examiner	-	Hundred percent	From amongst the Deputy Chemical Examiners, who have an experience of working as such for a minimum period of ten years.
2	Deputy Chemical Examiner	-	Hundred percent	(1) From amongst the Assistant Chemical Examiners who are members of the Punjab Chemical Examiner Laboratory (Group B) Service, who have an experience of working as such for a minimum period of five years; and (2) Should possess degree of Master of Science with Chemistry or Pharmacy or Biochemistry or Dairy Chemistry or Food Technology or Microbiology in Second Division or above from a recognized university or institution.

APPENDIX 'C'**(See rule 7)**

Serial Num- ber	Designation of the post	Nature of Penalty and Order	Punishing Authority	<i>Appellate</i> Authority
1.	Chemical Examiner`	(a) Minor i) Censure;	Secretary-	Minister-
2.	Deputy Chemical Examiner	ii) Withholding of his promotion; iii) Recovery from his pay of the whole or part of any pecuniary loss caused by him to the Government by negligence or breach of orders. iv) Withholding increment pay without cumulative effect;	in-charge	in-charge
		(b) Major v) withholding of increments of pay with cumulative effect or reduction to a lower stage in the time scale of pay for a specified period. With further direction as to whether or not the Government employed will earn increments of pay during the period of such reduction and whether on the expiry of such period reduction will or will not have the effect of posting the future increments of his pay. vi) reduction to lower time-scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the Government employee to the time-scale of pay, grade, post or service from which he was reduced. With or without further directions		

regarding condition of restoration
to the grade or post or service from
which the Government employee was
reduced and his seniority and pay on
such restoration to that grade post
or service.

- vii) compulsory retirement;
 - viii) removal from service which shall
not be a disqualification for further
employment under the Government;
 - ix) dismissal from service which shall
ordinarily be a disqualification for
future employment under the
Government.
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*in term of the rule 5 of the Punjab Civil Services (Punishment and appeal) Rules, 1970

@in terms of the rule 15 of the Punjab Civil Services (Punishment and appeal) Rules, 1970

APPENDIX 'D'**(See rule 8)****GOVERNMENT OF PUNJAB****DEPARTMENT OF PERSONNEL****(PERSONNEL POLICIES BRANCH -1)****NOTIFICATION**

The 4th May, 1994

No. G.S.R. 33/ Const./Art 309/94.- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and all other powers enabling in this behalf, the Governor of Punjab is pleased to make the following rules regulating the recruitment and general and common conditions of service of persons appointed to Group 'A' , Group 'B' and Group 'C' services in connection with the affairs of the State of Punjab, namely :-

- 1. Short title, commencement and application.-** (1) These rules may be called the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994.
 - (2) They shall come into force at once.
 - (3) They shall apply to all the posts in Group 'A', Group 'B' and Group 'C' services in connection with the affairs of the State of Punjab.
- 2. Definitions.-** In these rules, unless the context otherwise requires,-
 - (a) "appointing authority" means an appointing authority specified as such in the Service Rules made under Article 309 of the Constitution of India in respect of any service or post in connection with the affairs of the State of Punjab;
 - (b) "Board" means the Subordinate Services Selection Board, Punjab or any other authority constituted to perform its functions;
 - (c) "Commission" means the Punjab Public Service Commission;
 - (d) "direct appointment" means an appointment made otherwise than by promotion or by transfer of a person already in the service of Government of India or of a State Government;
 - (e) "Government" means the Government of the State of Punjab in the

Department of Personnel and Administrative Reforms;

- (f) "recognized university or institution" means,-
 - (i) any university or institution incorporated by law in any of the State of India; or
 - (ii) any other university or institution, which is declared by the government to be a recognized university or institution for the purposes of these rules;
- (g) "Service" means any Group 'A' Service, Group 'B' Service and Group 'C' Service constituted in connection with the affairs of the State of Punjab as per scales given in the Appendix;
- (h) "Service Rules" means the service rules made under Article 309 of the Constitution of India regulating the recruitment and conditions of service other than the general and common conditions of service of persons appointed to any service or post in connection with the affairs of the State of Punjab; and
 - (i) "War Hero" means a defence services personnel or a para-military forces personnel, who is a *bona fide* resident of Punjab State and has been killed or discharged from service on account of disability suffered by him on or after 1st January, 1999, while fighting in a war declared so by Government of India, in operations in Kargil or any other sector in J&K in the on going conflict with Pakistan or in any other operations which may be notified by the State Government to have been undertaken for preserving the unity and integrity of the Country; or
 - (ii) a defence services personnel or a para-military forces personnel who was a *bona fide* resident of Punjab State and was posthumously decorated with Parmvir Chakra, Mahavir or Vir Chakra: provided that , -
 - (a) In exceptional instances, the cases of such War Heroes may also be covered, with the prior approval of the Department of Personnel who though *bona fide* residents of Punjab State are yet closely connected to the State of Punjab;
 - (b) In the case of War Heroes, falling in the category (ii) above,

the benefits to be given by the State Government will be restricted only to the first generation dependent members/next of the kin.

Note:- The Government reserves the right to include any other category of Awardees for the purpose of providing employment to the category of War Heroes, as may be notified.

3. Nationality, domicile and character of persons appointed to the Service.-

- (1) No person shall be appointed to the Service unless he is, -
- (a) a Citizen of India ; or
 - (b) a Citizen of Nepal; or
 - (c) a subject of Bhutan ; or
 - (d) a Tibetan refugee who came over to India before the 1st day of January, 1962 with the intention of permanently settling in India; or
 - (e) a person of India origin who has migrated from Pakistan, Burma, Sri Lanka and East African Countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire, Ethiopia and Vietnam with the intention of permanently settling in India:

Provided that a person belonging to any of the categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been given by the Government of Punjab in the Department of Home Affairs and Justice.

(2) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or the Board, as the case may be, on his furnishing proof that he has applied for the certificate but he shall not be appointed to the Service unless the necessary certificate is given to him by the Government of Punjab in the Department of Home Affairs and Justice.

(3) No person shall be recruited to the Service by direct appointment, unless he produces:-

- (a) a certificate of character from the Principal Academic Officer of the university, college, school or institution last attended, if any, and similar certificates from two responsible persons not being his relative, who are well acquainted with him in his private life and are unconnected with his university, college, school or institution; and
- (b) an affidavit to the effect that he was never convicted for any criminal offence involving moral turpitude and that he was never dismissed or removed from service of any State Government or of Government of India, or of any Public Sector Undertaking.

4. Disqualifications.- (1) No person,-

- (a) who has entered into or contracted a marriage with a person having a spouse living ; or
- (b) who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the Service:

Provided that the Government, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Age.- (1) No person shall be recruited to the Service by direct appointment, if he is less than eighteen years or is more than thirty seven years of age in the case of technical and non-technical posts on the first day of January of the year immediately preceding the last date, fixed for submission of applications by the Commission or the Board, as the case may be:

Provided that where different lower and upper age limits have been specifically prescribed for posts in the Service Rules, these limits shall be made applicable for appointment to such posts:

Provided further that the upper age limit may be relaxed up to forty five years in the case of persons already in the employment of the Punjab Government or any Board, Corporation, Commission or Authority under it, other State Government or the Government of India:

Provided further that in the case of candidates belonging to

Scheduled Castes and other Backward Class, the Upper age limit shall be such as may be fixed by the government from time to time.

- (2) In the case of ex-servicemen, the upper age limit shall be such as has been prescribed in the Punjab Recruitment of Ex-servicemen Rules, 1982 as amended from time to time.
- (3) In the case of appointment on compassionate grounds on priority basis, the upper age limit shall be such as may be specifically fixed by the Government from time to time.
- (4) In the case of appointment of a war Hero, who has been discharged from defence services or para-military forces on account of disability suffered by him or his widow or dependent member of his family, the upper age limit shall be such as may be specifically fixed by the Government from time to time.

5A. Increase in upper age limit.- Notwithstanding anything contained in rule 5, on and with effect from the commencement of the Punjab Civil Services (General and Common Conditions of Service) Amendment Rules, 2010, where in any other Service rules, or in Government instructions, the upper age limit for appointment to any Service or for any category or persons, if different from thirty-five years, it shall be deemed to have increased by two years.

6. Qualification etc.- Subject to the provisions of these rules, the number and character of posts, method of recruitment and educational qualifications and experience for appointment to a post or posts in a Service and the departmental examination, if any, shall be such as may be specified in the Service Rules made for that Service:

Provided that where appointment of Group 'A' and Group 'B' non-technical post is offered to a war hero, who has been discharged from defence services or para-military forces on account of disability suffered by him or his widow or dependent member of his family, under the instructions issued in this behalf by the Government, the educational qualification to be possessed by such person shall be graduation from a recognized university, Such person who is offered Group 'A' or Group 'B' or Group 'C' non-technical post, shall not, however, be required to possess experience of technical or non-technical post at the time of his initial appointment.

7. Probation.- (1) A person appointed to any post in the Service shall remain on probation for a period of three years, if recruited by direct appointment and one year if recruited otherwise:

Provided that, -

- (a) any period, after such appointment, spent on deputation on a corresponding or a higher post shall count towards the period of probation;
 - (b) in the case of an appointment by transfer, any period of work on an equivalent or higher rank, prior to appointment to the Service, may in the discretion of the appointing authority, be allowed to count towards the period of probation;
 - (c) any period of officiating appointment to the Service shall be reckoned as period spent on probation; and
 - (d) any kind of leave not exceeding six months during or at the end of period of probation, shall be counted towards the period of probation.
- (2) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory or he has failed to pass the departmental examination, if any, prescribed in Service Rules within a period not exceeding one and a half years from the date of appointment, it may,-
- (a) if such person is recruited by direct appointment, dispense with his service or revert him to a post on which he held lien prior to his appointment to the Service by direct appointment; and
 - b) if such person is appointed otherwise –
 - (i) revert him to his former post; or
 - (ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.
- (3) On the completion of the period of probation of a person, the appointing authority may-
- (a) if his work and conduct has in its opinion been satisfactory –
 - (i) confirm such person, from the date of his appointment or from the date he completes his period of probation satisfactorily, if

-
- he is not already confirmed; or
- (ii) declare that he has completed his probation satisfactorily, if he is already confirmed; or
- (b) If his work or conduct has not been, in its opinion, satisfactory or if he has failed to pass the departmental examination, if any, specified in the Service Rules -
- (i) dispense with his services, if appointed by direct appointment or if appointed otherwise revert him to his former post, or deal with him in such other manner as the terms and conditions of his previous appointment may permit;
- (ii) extend his period of probation and thereafter pass such order as it could have passed on the expiry of the period of probation as specified in sub-rule (1) :

Provided that the total period of probation including extension, if any, shall not exceed four years, if recruited by direct appointment and three years if appointed otherwise.

8. Seniority.-The seniority *inter se* of persons appointed to posts in each cadre of a Service shall be determined by the length of continuous service on such post in that cadre of the Service:

Provided that in the case of persons recruited by direct appointment who join within the period specified in the order of appointment or within such period as may be extended from time to time by appointing authority subject to a maximum of four months from the date of order of appointment, the order of merit determined by the Commission or the Board, as the case may be, shall not be disturbed:

Provided further that in case a person is permitted to join the post after the expiry of the said period of four months in consultation with the Commission or the Board, as the case may be, his seniority shall be determined from the date he joins the post:

Provided further that in case any person of the next selection has joined a post in the cadre of the concerned Service before the person referred to in the preceding proviso joins, the person so referred shall be placed below all the persons of the next selection, who join within the time specified in the first proviso:

Provided further that in the case of two or more persons appointed on the same date, their seniority shall be determined as follows : -

- (a) a person appointed by direct appointment shall be senior to a person appointed otherwise;
- (b) a person appointed by promotion shall be senior to a person appointed by transfer;
- (c) in the case of persons appointed by promotion or transfer, the seniority shall be determined according to the seniority of such persons in the appointment from which they were promoted or transferred ; and
- (d) in the case of persons appointed by transfer from different cadres their seniority shall be determined according to pay, preference being given to a person who was drawing a higher rate of pay in his previous appointment; and if the rates of pay drawn are also the same, then by their length of service in these appointments; and if the length of such service is also the same, an older person shall be senior to a younger person :

Provided further that in the case of persons recruited by direct appointment in the same cadre obtaining equal marks, during same selection process, their inter-se-seniority shall be determined on the basis of their age. That is, an older person shall be senior to the younger person.

Note:- Seniority of persons appointed on purely provisional basis or on *ad hoc* basis shall be determined as and when they are regularly appointed keeping in view the dates of such regular appointment.

9. Liability of members of Service to transfer.- A member of a Service may be transferred to any post whether included in any other service or not, on the same terms and conditions as are specified in rule 3.17 of the Punjab Civil Service Rules, Volume-1 Part-1.

10. Liability to Serve.- A member of the Service shall be liable to serve at any place, whether within or out of the State of Punjab, on being ordered so to do by the appointing authority.

11. Leave, Pension and other matters.- In respect of pay , leave, pension

and all other matters not expressly provided for in these rules, a member of Service shall be governed by such rules and regulations as may have been or may here after be adopted or made by the competent authority.

12. Discipline, penalties and appeals.- (1) In the matter of discipline, punishment and appeals, a member of a Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970, as amended from time to time.

(2) The authority empowered to impose penalties specified in rule 5 of Punjab Civil Services (Punishment and Appeal) Rules, 1970, and the appellate authority thereunder in respect of the Government employee shall be such as may be specified in the Service Rules.

13. Liability for vaccination and re-vaccination.- Every member of the Service shall get himself vaccinated and re-vaccinated when Punjab Government so directs by a special or general order.

14. Oath of allegiance.- Every member of the Service, unless he has already done so, shall be required to take oath of allegiance to India and to the Constitution of India as by law established.

***14A Minimum Educational and other Qualifications for appointment to the post of Senior Assistant by.-**

Direct Appointment	Promotion
No person shall be given direct appointment to the post of Senior Assistant under the Punjab Government, unless he -	From amongst the clerks, who have an experience of working as such for a minimum period of four years.
(i) Possesses the Bachelor's Degree from a recognised University or Institution; and	
(ii) Qualifies in the competitive test specified by the appointing authority from time to time; and	
(iii) Possesses at least one hundred and twenty hours course with hands on experience in the use of Personal Computer or Information Technology in Office Productivity applications or Desktop Publishing applications from a Government recognised institution or a reputed institution, which is ISO 9001, certified	

OR

Possesses a Computer information Technology course equivalent to 'O' level certificate of Department of Electronics Accreditation of Computer Course (DOEACC) of Government of India;

(2) The person so appointed as Senior Assistant in terms of the Provisions of sub-rule (1), shall have before his appointment, passed a test in English and Punjabi respectively, typewriting on Computer to be conducted by the Board or the appointing authority or the Department of Information Technology, as the case may be, at a speed of thirty words per minute:

Provided that where appointment of Group 'B' non-technical post is offered to a War Hero, who has been discharged from Defence Services or dependent member of his family under the instructions issued in this behalf by the Government, the educational qualifications to be possessed by such person shall be Graduate from a recognised University or Institution. However, such person shall not be required to qualify the test in Punjabi type-writing as provided in sub-rule (2).

15. Minimum educational and other qualifications.-

- (1) (i) No person shall be given direct appointment to the post of Clerk under the Punjab Government unless he possesses the Bachelor's Degree from a recognised university or institution; and
- (ii) Possesses at least one hundred and twenty hours course with hands on experience in the use of Personal Computer or Information Technology in Office Productivity applications or Desktop Publishing applications from a Government recognized institution or a reputed institution, which is ISO 9001, certified.

OR

Possesses a Computer information Technology course equivalent to 'O' level certificate of Department of Electronics Accreditation

of Computer Courses (DOEACC) of Government of India;

- (2) The person so appointed as Clerk in terms of the provisions of sub-rule (1) shall have before his appointment passed a test in English and Punjabi, respectively typewriting on computer, to be conducted by the Board or the appointing authority or the Department of Information Technology, as the case may be, at a speed of thirty words per minute:

Provided that where appointment of Group 'C' non-technical post is offered to a War Hero, who has been discharged from Defence services; or dependent member of his family under the instructions issued in this behalf by the Government, the educational qualification to be possessed by such person shall be Graduate from a recognised university or institution. However, such person shall not be required to qualify the test in Punjabi typewriting as specified in sub-rule (2).

***15A. Minimum Educational and others Qualifications for appointment to the post of Senior Scale Stenographer by:-**

Direct appointment	Promotion
No Person shall be given direct appointment to the post of Senior Scale Stenographer under the Punjab Government unless he –	From amongst the Junior Scale Stenographers, who have an experience of working as such for a minimum period of one year.
(i) Possesses the Bachelor's Degree from a recognised university or Institution; and	Provided that if the Junior Scale Stenographer is not available then from amongst the Steno typists, who have an experience of working as such for a minimum period of four years; and
(ii) Qualifies in a Stenography test in four paras (two in Punjabi and two in English language) containing 250 words each as follows :-	ii) Qualifies in a Stenography test in four paras (two in Punjabi and two in English language) containing 250 words each as follows:-
(a) the passage in Punjabi shall be dictated at a speed of 100 words per minute in Punjabi language required to be transcribed these (at typewriter/	(a) the passage in Punjabi shall

computer) at a speed of 20 words per minute; and

(b) The passage in English shall be dictated at a speed of 60 words per minute in English language required to be transcribed these (at typewriter/computer) at the speed of 12 words per minute.

(iii) The candidates committing not more than 4% mistakes in aggregate and only if he/she qualifies the stenography test in both the languages shall be considered to have qualified the test for appointment as Senior Scale Stenographer.

iv) Possesses at least one hundred and twenty hours course with hands on experience in the use of Personal Computer or Information Technology in Office Productivity applications or Desktop Publishing applications from a Government recognized Institution or a reputed Institution, which is ISO 9001, certified.

be dictated at a speed of 100 words per minute in Punjabi language required to be transcribed these (at typewriter/computer) at a speed of 20 words per minute; and

(b) The passage in English shall be dictated at a speed of 60 words per minute in English language required to be transcribed these (at typewriter/computer) at the speed of 12 words per minute.

(iii) The candidates committing not more than 4% mistakes in aggregate and only if he/she qualifies the stenography test in both the languages shall be considered to have qualified the test for promotion as Senior Scale Stenographer.

OR

Possesses a computer Information Technology course equivalent to 'O' level certificate of Department of Electronics Accreditation of Computer Course (DOEACC) of Government of India.

16. Minimum educational and other qualifications for appointment to the post of Steno-typist or Junior Scale Stenographer.- No person shall be given direct appointment to a post of a Steno-typist or a Junior Scale

Stenographer under the Punjab Government unless he :-

- (a) Possesses Bachelor's Degree from a recognized University or Institution; and
- (b) Qualifies a test in Punjabi Stenography to be held by the Board or by the appointing authority at a speed specified by the Government from time to time; and
- (c) Possesses at least one hundred and twenty hours course with hands on experience in the use of Personal Computer or Information Technology in Office Productivity applications or Desktop Publishing applications from Government recognized institution or a reputed institution, which is ISO 9001, certified

OR

Possesses a Computer Information Technology Course equivalent to 'O' level certificate of Department of Electronics Accreditation of Computer Courses (DOEACC) of Government of India.

17. Knowledge of Punjabi Language.- No person shall be appointed to any post in any Service by direct appointment unless he has passed Matriculation examination with Punjabi as one of the compulsory or elective subjects or any other equivalent examination in Punjabi language, which may be specified by the Government from time to time:

Provided that where a person is appointed on compassionate grounds on priority basis under the instructions issued in this behalf by the government from time to time, the person so appointed shall have to pass an examination of Punjabi Language equivalent to Matriculation standard or he shall have to qualify a test conducted by the Language Wing of the Department of Education of Punjab Government within a period of six months from the date of his appointment:

Provided further that where educational qualifications for a post in any service are lower than Matriculation standard, then the person so appointed shall have to pass an examination of Punjabi Language equivalent to Middle standard:

Provided further that where a War Hero, who has been discharged from Defence Services or paramilitary forces on account of disability suffered by

him or his widow or dependent member of his family, is appointed under the instructions issued in this behalf by the Government, the person so appointed will not be required to possess aforesaid knowledge of Punjabi Language:

Provided further that where a ward of Defence Service Personnel, who is a *bona fide* resident of Punjab State, is appointed by direct appointment, he shall have to pass an examination of Punjabi Language equivalent to Matriculation standard or he shall have to qualify a test conducted by the Language Wing of the Department of Education of Punjab Government within a period of two years from the date of his appointment.

18. Promotion to Group 'A' and Group 'B' Service.-

- (1) (a) For promotion to the post as Head of Department would be decided strictly on the basis of merit-cum-seniority as per the instructions issued by the Government from time to time. The minimum benchmark for promotion for such post would be 'Very Good'. The officer who is graded, as 'Outstanding' would supersede the officer graded as 'Very Good'.
- (b) For promotion to post falling in the Group 'A' other than Head of Department, the minimum benchmark will be 'Very Good' as per the instructions issued by the Government from time to time. There shall be no supersession on the basis of merit.
- (c) For promotion to post falling in Group 'B' the minimum benchmark will be 'Good' and there shall be no supersession on the basis of merit.

- (2) **Debarring for consideration for promotion of a Government Employee who refuses to accept promotion.-** In the event of refusal to accept promotion by a member of a Service, he shall be debarred by the appointing authority from consideration for promotion for all the consecutive chances which may occur in future within a period of two years from the date of such refusal to accept promotion:

Provided that in a case where the appointing authority is satisfied that a member of the Service has refused to accept promotion under the circumstances beyond his control, it may exempt such a member for reasons to be recorded therefor in writing from the operation of this rule.

19. Power to relax.- Where the Government is of the opinion that it is necessary or expedient so to do, it may by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons:

Provided that the provisions relating to educational qualifications and experience, if any, shall not be relaxed.

20. Over-riding effect.- The provisions of these rules shall have effect notwithstanding anything to the contrary contained in any rules for the time being in force for regulating the recruitment and conditions of service for appointment to public service and posts in connection with the affairs of the State.

21. Interpretation.- If any question arises as to the interpretation of these rules, the Government shall decide the same.

A.S. CHATTHA,

Chief Secretary to Government of Punjab.

ANURAG AGARWAL,

Additional Chief Secretary to Government of Punjab,
Department of Home Affairs and Justice.

PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF HOME AFFAIRS AND JUSTICE
(HOME- 2 BRANCH)

NOTIFICATION

The 23rd August, 2021

No. G.S.R. 122/Const./Art.309/2021.-In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules regulating the recruitment, and the conditions of Service of the persons appointed to the Punjab Chemical Examiner Laboratory (Group B) Service, namely:-

RULES

1. Short title commencement and application.- (1) These rules may be called the Punjab Chemical Examiner Laboratory, (Group B) Service Rules, 2021.

- (2) They shall come into force on and with effect from the date of their publication in the Official Gazette.
- (3) They shall apply to the posts specified in Appendix 'A' and the services of the present staff working in the Chemical Examiner Laboratory appointed by the Department of Health and Family Welfare Punjab Shall be governed under these rules.

2. Definitions.- (1) In these rules, unless the context otherwise requires, -

- (a) " Appendix" means an Appendix appended to these rules; -
 - (b) "Government" means the Government of the State of Punjab in Department of Home Affairs and Justice;
 - (c) "Secretary-in-charge" means the Secretary to Government of Punjab in the Department of Home Affairs and Justice; and
 - (d) "Service" means the Punjab Chemical Examiner Laboratory, (Group B) Service.
- (2) The expressions used in these rules, but not defined, shall have the

respective meanings assigned to these expressions in the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994.

3. Number and character of posts.- The Service shall comprise the posts specified in Appendix 'A' :

Provided that nothing in these rules shall affect the inherent right of the Government to add to or reduce the number of such posts or to create new posts with different designations and scales of pay whether permanently or temporarily.

4. Appointing authority.- Appointment to the Service shall be made by the Government.

5. Pay of members of the Service.- The members of the Services shall be entitled to such scales of pay, as may be authorized by the Department of Finance from time to time. The scales of pay, at present in force in respect of the members of the Service, are given in **Appendix 'A'**.

6. Method of appointment and qualifications.- (1) Appointment to the Service may be made in the manner as specified in **Appendix 'B'** :

Provided that if no suitable candidate is available for appointment to the Service by promotion or by direct appointment, then appointment to the Service may be made by transfer of a person holding a similar or an identical post under the State Government or Government of India.

(1) No person may be appointed to any post in the Service unless he possesses the qualifications and experience as specified against that post in Appendix 'B'.

(2) Appointment to the Service by promotion may be made on seniority-cum-merit basis and no person may have any right to claim promotion on the basis of seniority alone.

7 Discipline, punishment and appeal.- (1) In the matters of discipline, punishment and appeal, the members of Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970, as amended from time to time.

(2) The authority empowered to impose penalties, as specified in rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970, and the appellate authority against an order as specified in the Punjab Civil Services

(Punishment and Appeal) Rules, 1970 is as per **Appendix 'C'**.

8. Application of the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994.- (1) In respect of the matters, which are not specifically provided in these rules, the members of the Service shall be governed by the provisions of the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994, as amended from time to time.

(2) The Punjab Civil Services (General and Common Condition of Service) Rules, 1994, at present in force, are contained in Appendix 'D'.

9. Interpretation.- If any question arises as to the interpretation of these rules, the Government, in consultation with the Department of Personnel, shall decide the same.

APPENDIX 'A'

{See rules 1(3),3 and 5}

Serial Num- ber	Designation of the post	Number of Posts			Scale of pay+ Grade Pay (in rupees)	7th Central Pay Commission Scales as per FD. Letter dated 17th July, 2020
		Perma- nent	Tempo- rary	Total		
1	2	3	4	5	6	7
1.	Superintendent G-2	1	-	1	10300-34800+4800	
2.	Senior Medical Laboratory Technician (SMLT)	1	-	1	10300-34800+4800	
3.	Assistant Chemical Examiner	6	-	6	10300-34800+4600	
4.	Senior Assistant	1	-	1	10300-34800+4400	
5.	Analyst	24	-	24	10300-34800+4400	35400
6.	Medical Laboratory Technician (MLT) Grade-I	6	-	6	10300-34800+4200	

APPENDIX 'B'

(See rule 6)

Serial Number	Designation of the Post	Percentage for appointment by		Method of appointment, qualifications and experience for appointment by	
		Direct appointm-ent	Promotion	Direct appointm-ent	Promotion
1	Superintendent G-2	-	Hundred Percent	-	From amongst the Senior Assistant, who have an experience of working as such for a minimum period of seven years.
2	Senior Medical Laboratory Technician (SMLT)	-	Hundred Percent	-	From amongst the Medical Laboratory Technician Grade-1, who have an experience of working as such for a minimum period of five years.
3	Assistant Chemical Examiner (Non-Medical)	-	Hundred Percent	-	From amongst the Analysts, who have an experience of working as such for a minimum period of ten years.
4	Senior Assistant	-	Hundred Percent	-	As specified in the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994, as amended from time to time
5	Analyst	Hundred Percent	-	Should possess a degree in Master of Science with Chemistry or Pharmacy or	-

Biochemistry or
Dairy Chemistry or
Food Technology or
Microbiology in
Second Division
from a recognised
university or
institution

6	Medical Laboratory Technician (MLT) Grade-I	-	Hundred Percent	-	From amongst the Medical Laboratory Technicians Grade-2, who are members of the Punjab Chemical Examiner Laboratory Service and who have an experience of working as such for a minimum period of three years.
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APPENDIX 'C'

(See rule 7)

Serial Num- ber	Designation of the post	Nature of Penalty and Order	Punishing Authority	<i>Appellate</i> Authority
1.	Superintendent G-2	(a) Minor	Secretary-	Minister-
2.	Senior Medical laboratory Technician (SMLT)	i) Censure; ii) Withholding of his promotion; iii) Recovery from his pay of the whole or part of any pecuniary loss caused by him to the Government by negligence or breach of orders.	in-charge.	in-charge
3.	Assistant Chemical Examiner,	iv) Withholding increment pay without cumulative effect;		
4.	Senior Assistant	(b) Major		
5.	Analyst	v) withholding of increments of pay with cumulative effect or reduction to a lower stage in the time scale of pay for a specified period. With further direction as to whether or not the Government employed will earn increments of pay during the period of such reduction and whether on the expiry of such period reduction will or will not have the effect of posting the future increments of his pay.		
6.	Medical Laboratory Technician (MLT) Grade-I	vi) reduction to lower time-scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the Government employee to the time-scale of pay, grade, post or service from which he was reduced. With or without further		

directions regarding condition of
restoration to the grade or post or
service from which the Government
employee was reduced and his seniority
and pay on such restoration to that grade
post or service.

vii) compulsory retirement;

viii) removal from service which shall not
be a disqualification for further
employment under the Government;

ix) dismissal from service which shall
ordinarily be a disqualification for
future employment under the
Government.

*in term of rules 5 of the Punjab Civil Services (Punishment & Appeal) Rules, 1970

@ in terms of rules 15 of the Punjab Civil Services (Punishment & Appeal) Rules, 1970

APPENDIX 'D'

(See rule 8)

GOVERNMENT OF PUNJAB

DEPARTMENT OF PERSONNEL

(PERSONNEL POLICIES BRANCH -1)

NOTIFICATION

The 4th May, 1994

No. G.S.R. 33/ Const./Art 309/94.- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and all other powers enabling in this behalf, the Governor of Punjab is pleased to make the following rules regulating the recruitment and general and common conditions of service of persons appointed to Group 'A' , Group 'B' and Group 'C' services in connection with the affairs of the State of Punjab, namely :-

- 1. Short title, commencement and application.-** (1) These rules may be called the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994.
 - (2) They shall come into force at once.
 - (3) They shall apply to all the posts in Group 'A', Group 'B' and Group 'C' services in connection with the affairs of the State of Punjab.
- 2. Definitions.-** In these rules, unless the context otherwise requires,-
 - (a) "appointing authority" means an appointing authority specified as such in the Service Rules made under Article 309 of the Constitution of India in respect of any service or post in connection with the affairs of the State of Punjab;
 - (b) "Board" means the Subordinate Services Selection Board, Punjab or any other authority constituted to perform its functions;
 - (c) "Commission" means the Punjab Public Service Commission;
 - (d) "direct appointment" means an appointment made otherwise than by promotion or by transfer of a person already in the service of Government of India or of a State Government;
 - (e) "Government" means the Government of the State of Punjab in the Department of Personnel and Administrative Reforms;
 - (f) "recognized university or institution" means,-

-
- (i) any university or institution incorporated by law in any of the State of India; or
 - (ii) any other university or institution, which is declared by the government to be a recognized university or institution for the purposes of these rules;
 - (g) "Service" means any Group 'A' Service, Group 'B' Service and Group 'C' Service constituted in connection with the affairs of the State of Punjab as per scales given in the Appendix;
 - (h) "Service Rules" means the service rules made under Article 309 of the Constitution of India regulating the recruitment and conditions of service other than the general and common conditions of service of persons appointed to any service or post in connection with the affairs of the State of Punjab; and
 - (i) (i) "War Hero" means a defence services personnel or a para-military forces personnel, who is a bona fide resident of Punjab State and has been killed or discharged from service on account of disability suffered by him on or after 1st January, 1999, while fighting in a war declared so by Government of India, in operations in Kargil or any other sector in J&K in the on going conflict with Pakistan or in any other operations which may be notified by the State Government to have been undertaken for preserving the unity and integrity of the Country; or
 - (ii) a defence services personnel or a para-military forces personnel who was a bona fide resident of Punjab State and was posthumously decorated with Parmvir Chakra, Mahavir or Vir Chakra: provided that , -
 - (a) In exceptional instances, the cases of such War Heroes may also be covered, with the prior approval of the Department of Personnel who though bona fide residents of Punjab State are yet closely connected to the State of Punjab;
 - (b) In the case of War Heroes, falling in the category (ii) above, the benefits to be given by the State Government will be restricted only to the first generation dependent members/ next of the kin.

Note:- The Government reserves the right to include any other category

of Awardees for the purpose of providing employment to the category of War Heroes, as may be notified.

3. Nationality, domicile and character of persons appointed to the Service.-

- (1) No person shall be appointed to the Service unless he is, -
- (a) a Citizen of India ; or
 - (b) a Citizen of Nepal; or
 - (c) a subject of Bhutan ; or
 - (d) a Tibetan refugee who came over to India before the 1st day of January, 1962 with the intention of permanently settling in India; or
 - (e) a person of India origin who has migrated from Pakistan, Burma, Sri Lanka and East African Countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire, Ethiopia and Vietnam with the intention of permanently settling in India:

Provided that a person belonging to any of the categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been given by the Government of Punjab in the Department of Home Affairs and Justice.

(2) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or the Board, as the case may be, on his furnishing proof that he has applied for the certificate but he shall not be appointed to the Service unless the necessary certificate is given to him by the Government of Punjab in the Department of Home Affairs and Justice.

(3) No person shall be recruited to the Service by direct appointment, unless he produces:-

- (a) a certificate of character from the Principal Academic Officer of the university, college, school or institution last attended, if any, and similar certificates from two responsible persons not being his relative, who are well acquainted with him in his private life and are unconnected with his university, college, school or institution; and
- (b) an affidavit to the effect that he was never convicted for any criminal

offence involving moral turpitude and that he was never dismissed or removed from service of any State Government or of Government of India, or of any Public Sector Undertaking.

4. Disqualifications.- (1) No person,-

- (a) who has entered into or contracted a marriage with a person having a spouse living ; or
- (b) who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the Service:

Provided that the Government, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Age.- (1) No person shall be recruited to the Service by direct appointment, if he is less than eighteen years or is more than thirty seven years of age in the case of technical and non-technical posts on the first day of January of the year immediately preceding the last date, fixed for submission of applications by the Commission or the Board, as the case may be:

Provided that where different lower and upper age limits have been specifically prescribed for posts in the Service Rules, these limits shall be made applicable for appointment to such posts:

Provided further that the upper age limit may be relaxed up to forty five years in the case of persons already in the employment of the Punjab Government or any Board, Corporation, Commission or Authority under it, other State Government or the Government of India:

Provided further that in the case of candidates belonging to Scheduled Castes and other Backward Class, the Upper age limit shall be such as may be fixed by the government from time to time.

- (2) In the case of ex-servicemen, the upper age limit shall be such as has been prescribed in the Punjab Recruitment of Ex-servicemen Rules, 1982 as amended from time to time.
- (3) In the case of appointment on compassionate grounds on priority basis, the upper age limit shall be such as may be specifically fixed by the Government from time to time.

- (4) In the case of appointment of a war Hero, who has been discharged from defence services or para-military forces on account of disability suffered by him or his widow or dependent member of his family, the upper age limit shall be such as may be specifically fixed by the Government from time to time.

5A. Increase in upper age limit.- Notwithstanding anything contained in rule 5, on and with effect from the commencement of the Punjab Civil Services (General and Common Conditions of Service) Amendment Rules, 2010, where in any other Service rules, or in Government instructions, the upper age limit for appointment to any Service or for any category or persons, if different from thirty-five years, it shall be deemed to have increased by two years.

6. Qualification etc.- Subject to the provisions of these rules, the number and character of posts, method of recruitment and educational qualifications and experience for appointment to a post or posts in a Service and the departmental examination, if any, shall be such as may be specified in the Service Rules made for that Service:

Provided that where appointment of Group 'A' and Group 'B' non-technical post is offered to a war hero, who has been discharged from defence services or para-military forces on account of disability suffered by him or his widow or dependent member of his family, under the instructions issued in this behalf by the Government, the educational qualification to be possessed by such person shall be graduation from a recognized university, Such person who is offered Group 'A' or Group 'B' or Group 'C' non-technical post, shall not, however, be required to possess experience of technical or non-technical post at the time of his initial appointment.

7. Probation.- (1) A person appointed to any post in the Service shall remain on probation for a period of three years, if recruited by direct appointment and one year if recruited otherwise:

Provided that, -

- (a) any period, after such appointment, spent on deputation on a corresponding or a higher post shall count towards the period of probation;
- (b) in the case of an appointment by transfer, any period of work on an equivalent or higher rank, prior to appointment to the Service, may in the discretion of the appointing authority, be allowed to count towards the period of probation;

-
- (c) any period of officiating appointment to the Service shall be reckoned as period spent on probation; and
 - (d) any kind of leave not exceeding six months during or at the end of period of probation, shall be counted towards the period of probation.
- (2) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory or he has failed to pass the departmental examination, if any, prescribed in Service Rules within a period not exceeding one and a half years from the date of appointment, it may,-
- (a) if such person is recruited by direct appointment, dispense with his service or revert him to a post on which he held lien prior to his appointment to the Service by direct appointment; and
 - b) if such person is appointed otherwise –
 - (i) revert him to his former post; or
 - (ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.
- (3) On the completion of the period of probation of a person, the appointing authority may-
- (a) if his work and conduct has in its opinion been satisfactory –
 - (i) confirm such person, from the date of his appointment or from the date he completes his period of probation satisfactorily, if he is not already confirmed; or
 - (ii) declare that he has completed his probation satisfactorily, if he is already confirmed; or
 - (b) If his work or conduct has not been, in its opinion, satisfactory or if he has failed to pass the departmental examination, if any, specified in the Service Rules -
 - (i) dispense with his services, if appointed by direct appointment or if appointed otherwise revert him to his former post, or deal with him in such other manner as the terms and conditions of his previous appointment may permit;
 - (ii) extend his period of probation and thereafter pass such order as it could have passed on the expiry of the period of probation as specified in sub-rule (1) :

Provided that the total period of probation including extension, if any, shall not exceed four years, if recruited by direct appointment and three years if appointed otherwise.

8. Seniority.-The seniority inter se of persons appointed to posts in each cadre of a Service shall be determined by the length of continuous service on such post in that cadre of the Service:

Provided that in the case of persons recruited by direct appointment who join within the period specified in the order of appointment or within such period as may be extended from time to time by appointing authority subject to a maximum of four months from the date of order of appointment, the order of merit determined by the Commission or the Board, as the case may be, shall not be disturbed:

Provided further that in case a person is permitted to join the post after the expiry of the said period of four months in consultation with the Commission or the Board, as the case may be, his seniority shall be determined from the date he joins the post:

Provided further that in case any person of the next selection has joined a post in the cadre of the concerned Service before the person referred to in the preceding proviso joins, the person so referred shall be placed below all the persons of the next selection, who join within the time specified in the first proviso:

Provided further that in the case of two or more persons appointed on the same date, their seniority shall be determined as follows : -

- (a) a person appointed by direct appointment shall be senior to a person appointed otherwise;
- (b) a person appointed by promotion shall be senior to a person appointed by transfer;
- (c) in the case of persons appointed by promotion or transfer, the seniority shall be determined according to the seniority of such persons in the appointment from which they were promoted or transferred ; and
- (d) in the case of persons appointed by transfer from different cadres their seniority shall be determined according to pay, preference being given to a person who was drawing a higher rate of pay in his previous appointment; and if the rates of pay drawn are also the

same, then by their length of service in these appointments; and if the length of such service is also the same, an older person shall be shall be senior to a younger person :

Provided further that in the case of persons recruited by direct appointment in the same cadre obtaining equal marks, during same selection process, their inter-se-seniority shall be determined on the basis of their age. That is, an older person shall be senior to the younger person.

Note:- Seniority of persons appointed on purely provisional basis or on ad hoc basis shall be determined as and when they are regularly appointed keeping in view the dates of such regular appointment.

9. Liability of members of Service to transfer.- A member of a Service may be transferred to any post whether included in any other service or not, on the same terms and conditions as are specified in rule 3.17 of the Punjab Civil Service Rules, Volume-1 Part-1.

10. Liability to Serve.- A member of the Service shall be liable to serve at any place, whether within or out of the State of Punjab, on being ordered so to do by the appointing authority.

11. Leave, Pension and other matters.- In respect of pay , leave, pension and all other matters not expressly provided for in these rules, a member of Service shall be governed by such rules and regulations as may have been or may here after be adopted or made by the competent authority.

12. Discipline, penalties and appeals.- (1) In the matter of discipline, punishment and appeals, a member of a Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970, as amended from time to time.

(2) The authority empowered to impose penalties specified in rule 5 of Punjab Civil Services (Punishment and Appeal) Rules, 1970, and the appellate authority thereunder in respect of the Government employee shall be such as may be specified in the Service Rules.

13. Liability for vaccination and re-vaccination.- Every member of the Service shall get himself vaccinated and re-vaccinated when Punjab Government so directs by a special or general order.

14. Oath of allegiance.- Every member of the Service, unless he has already done so, shall be required to take oath of allegiance to India and to the Constitution of India as by law established.

***14A Minimum Educational and other Qualifications for appointment to the post of Senior Assistant by.:-**

Direct Appointment	Promotion
No person shall be given direct appointment to the post of Senior Assistant under the Punjab Government, unless he - (i) Possesses the Bachelor's Degree from a recognised University or Institution; and (ii) Qualifies in the competitive test specified by the appointing authority from time to time; and (iii) Possesses at least one hundred and twenty hours course with hands on experience in the use of Personal Computer or Information Technology in Office Productivity applications or Desktop Publishing applications from a Government recognised institution or a reputed institution, which is ISO 9001, certified	From amongst the clerks, who have an experience of working as such for a minimum period of four years.

OR

Possesses a Computer information Technology course equivalent to 'O' level certificate of Department of Electronics Accreditation of Computer Course (DOEACC) of Government of India;

(2) The person so appointed as Senior Assistant in terms of the Provisions of sub-rule (1), shall have before his appointment, passed a test in English and Punjabi respectively, typewriting on Computer to be conducted by the Board or the appointing authority or the Department of Information Technology, as the case may be, at a speed of thirty words per minute:

Provided that where appointment of Group 'B' non-technical post is offered to a War Hero, who has been discharged from Defence Services or dependent member of his family under the instructions issued in this behalf by the Government, the educational qualifications to be possessed by such person shall be Graduate from a recognised University or Institution. However, such

person shall not be required to qualify the test in Punjabi type-writing as provided in sub-rule (2).

15. Minimum educational and other qualifications.-

- (1) (i) No person shall be given direct appointment to the post of Clerk under the Punjab Government unless he possesses the Bachelor's Degree from a recognised university or institution; and
- (ii) Possesses at least one hundred and twenty hours course with hands on experience in the use of Personal Computer or Information Technology in Office Productivity applications or Desktop Publishing applications from a Government recognized institution or a reputed institution, which is ISO 9001, certified.

OR

Possesses a Computer information Technology course equivalent to 'O' level certificate of Department of Electronics Accreditation of Computer Courses (DOEACC) of Government of India;

- (2) The person so appointed as Clerk in terms of the provisions of sub-rule (1) shall have before his appointment passed a test in English and Punjabi, respectively typewriting on computer, to be conducted by the Board or the appointing authority or the Department of Information Technology, as the case may be, at a speed of thirty words per minute:

Provided that where appointment of Group 'C' non-technical post is offered to a War Hero, who has been discharged from Defence services; or dependent member of his family under the instructions issued in this behalf by the Government, the educational qualification to be possessed by such person shall be Graduate from a recognised university or institution. However, such person shall not be required to qualify the test in Punjabi typewriting as specified in sub-rule (2).

***15A. Minimum Educational and others Qualifications for appointment to the post of Senior Scale Stenographer by:-**

Direct appointment	Promotion
No Person shall be given direct appointment to the post of Senior Scale Stenographer under the Punjab	From amongst the Junior Scale Stenographers, who have an experience of working as such for

Government unless he –

(i) Possesses the Bachelor's Degree from a recognised university or Institution; and

(ii) Qualifies in a Stenography test in four paras (two in Punjabi and two in English language) containing 250 words each as follows :-

(a) the passage in Punjabi shall be dictated at a speed of 100 words per minute in Punjabi language required to be transcribed these (at typewriter/ computer) at a speed of 20 words per minute; and

(b) The passage in English shall be dictated at a speed of 60 words per minute in English language required to be transcribed these (at typewriter/ computer) at the speed of 12 words per minute.

(iii) The candidates committing not more than 4% mistakes in aggregate and only if he/she qualifies the stenography test in both the languages shall be considered to have qualified the test for appointment as Senior Scale Stenographer.

iv) Possesses at least one hundred and twenty hours course with hands on experience in the use of Personal Computer or Information Technology in Office Productivity applications or Desktop Publishing applications from a Government recognized Institution or a reputed Institution, which is ISO 9001, certified.

a minimum period of one year.

Provided that if the Junior Scale Stenographer is not available then from amongst the Steno typists, who have an experience of working as such for a minimum period of four years; and

ii) Qualifies in a Stenography test in four paras (two in Punjabi and two in English language) containing 250 words each as follows:-

(a) the passage in Punjabi shall be dictated at a speed of 100 words per minute in Punjabi language required to be transcribed these (at typewriter/computer) at a speed of 20 words per minute; and

(b) The passage in English shall be dictated at a speed of 60 words per minute in English language required to be transcribed these (at typewriter/computer) at the speed of 12 words per minute.

(iii) The candidates committing not more than 4% mistakes in aggregate and only if he/she qualifies the stenography test in both the languages shall be considered to have qualified the test for promotion as Senior Scale Stenographer.

OR

Possesses a computer
Information Technology course
equivalent to 'O' level certificate of
Department of Electronics
Accreditation of Computer Course
(DOEACC) of Government of India.

16. Minimum educational and other qualifications for appointment to the post of Steno-typist or Junior Scale Stenographer.- No person shall be given direct appointment to a post of a Steno-typist or a Junior Scale Stenographer under the Punjab Government unless he :-

- (a) Possesses Bachelor's Degree from a recognized University or Institution; and
- (b) Qualifies a test in Punjabi Stenography to be held by the Board or by the appointing authority at a speed specified by the Government from time to time; and
- (c) Possesses at least one hundred and twenty hours course with hands on experience in the use of Personal Computer or Information Technology in Office Productivity applications or Desktop Publishing applications from Government recognized institution or a reputed institution, which is ISO 9001, certified

OR

Possesses a Computer Information Technology Course equivalent to 'O' level certificate of Department of Electronics Accreditation of Computer Courses (DOEACC) of Government of India.

17. Knowledge of Punjabi Language.- No person shall be appointed to any post in any Service by direct appointment unless he has passed Matriculation examination with Punjabi as one of the compulsory or elective subjects or any other equivalent examination in Punjabi language, which may be specified by the Government from time to time:

Provided that where a person is appointed on compassionate grounds on priority basis under the instructions issued in this behalf by the government from time to time, the person so appointed shall have to pass an examination of Punjabi Language equivalent to Matriculation standard or he shall have to qualify a test conducted by the Language Wing of the Department of Education

of Punjab Government within a period of six months from the date of his appointment:

Provided further that where educational qualifications for a post in any service are lower than Matriculation standard, then the person so appointed shall have to pass an examination of Punjabi Language equivalent to Middle standard:

Provided further that where a War Hero, who has been discharged from Defence Services or paramilitary forces on account of disability suffered by him or his widow or dependent member of his family, is appointed under the instructions issued in this behalf by the Government, the person so appointed will not be required to possess aforesaid knowledge of Punjabi Language:

Provided further that where a ward of Defence Service Personnel, who is a bona fide resident of Punjab State, is appointed by direct appointment, he shall have to pass an examination of Punjabi Language equivalent to Matriculation standard or he shall have to qualify a test conducted by the Language Wing of the Department of Education of Punjab Government within a period of two years from the date of his appointment.

18. Promotion to Group 'A' and Group 'B' Service.-

- (1) (a) For promotion to the post as Head of Department would be decided strictly on the basis of merit-cum-seniority as per the instructions issued by the Government from time to time. The minimum benchmark for promotion for such post would be 'Very Good'. The officer who is graded, as 'Outstanding' would supersede the officer graded as 'Very Good'.
- (b) For promotion to post falling in the Group 'A' other than Head of Department, the minimum benchmark will be 'Very Good' as per the instructions issued by the Government from time to time. There shall be no supersession on the basis of merit.
- (c) For promotion to post falling in Group 'B' the minimum benchmark will be 'Good' and there shall be no supersession on the basis of merit.

- (2) **Debarring for consideration for promotion of a Government Employee who refuses to accept promotion.-** In the event of refusal to accept promotion by a member of a Service, he shall be debarred by the appointing authority from consideration for promotion

for all the consecutive chances which may occur in future within a period of two years from the date of such refusal to accept promotion:

Provided that in a case where the appointing authority is satisfied that a member of the Service has refused to accept promotion under the circumstances beyond his control, it may exempt such a member for reasons to be recorded therefor in writing from the operation of this rule.

19. Power to relax.- Where the Government is of the opinion that it is necessary or expedient so to do, it may by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons:

Provided that the provisions relating to educational qualifications and experience, if any, shall not be relaxed.

20. Over-riding effect.- The provisions of these rules shall have effect notwithstanding anything to the contrary contained in any rules for the time being in force for regulating the recruitment and conditions of service for appointment to public service and posts in connection with the affairs of the State.

21. Interpretation.- If any question arises as to the interpretation of these rules, the Government shall decide the same.

A.S. CHATTHA,

Chief Secretary to Government of Punjab.

ANURAG AGARWAL,

Additional Chief Secretary to Government of Punjab,
Department of Home Affairs and Justice.

PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF HOME AFFAIRS AND JUSTICE
(HOME-2 BRANCH)

NOTIFICATION

The 23rd August, 2021

No. G.S.R. 123/Const./Art.309/2021.-In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules regulating the recruitment, and the conditions of Service of the persons appointed to the Punjab Chemical Examiner Laboratory (Group C) Service, namely:-

RULES

1. Short title, commencement and application.- (1) These rules may be called the Punjab Chemical Examiner Laboratory, (Group C) Service Rules, 2021.

(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.

(3) They shall apply to the posts specified in Appendix 'A' and the Services of the present staff working in the Chemical Examiner Laboratory appointed by the Department of Health and Family Welfare Punjab shall be governed under these rules.

2. Definitions.- (1) In these rules, unless the context otherwise requires, -

- (a) " Appendix" means an Appendix appended to these rules;
- (b) " Chemical Examiner " means the Chemical Examiner appointed as such by the Government to perform the functions of Chemical Examiner;
- (c) "Government" means the Government of the State of Punjab in Department of Home Affairs and Justice;
- (d) "Secretary in-charge" means the Secretary to the Government of Punjab in the Department of Home Affairs and Justice; and

- (e) "Service" means the Punjab Chemical Examiner Laboratory, (Group C) Service.

(2) The expressions used in these rules, but not defined, shall have the respective meanings assigned to these expressions in the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994 .

3. Number and character of posts.- The Service shall comprise the posts specified in **Appendix 'A'**.

Provided that nothing in these rules shall affect the inherent right of the Government to add to or reduce the number of such posts or to create new posts with different designations and scales of pay whether permanently or temporarily.

4. Appointing authority.- Appointment to the Service shall be made by the Chemical Examiner.

5. Pay of members of the Service.- The members of the Services shall be entitled to such scales of pay, as may be authorized by the Department of Finance, Government of Punjab from time to time. The scales of pay, at present in force in respect of the members of the Service, are given in **Appendix 'A'**.

6. Method of appointment and qualifications.- (1) Appointment to the Service may be made in the manner as specified in **Appendix 'B'** :

Provided that if no suitable candidate is available for appointment to the Service by promotion or by direct appointment, then appointment to the Service may be made by transfer of a person holding a similar post under the State Government or Government of India:

Provided that if no suitable candidate is available for appointment to the Service by transfer also, the appointment to the Service may be made by deputation of a person holding an analogous post in any Board of Corporation or authority under the Government of Punjab.

(1) No person shall be appointed to any post in the Service unless he possesses the qualifications and experience as specified against that post in **Appendix 'B'**;

(2) Appointment to the Service by promotion may be made on seniority-

cum-merit basis and no person may have any right to claim promotion on the basis of seniority alone.

- 7 Discipline, punishment and appeal.-** (1) In the matters of discipline, punishment and appeal, the members of Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970, as amended from time to time.

(2) The authority empowered to impose penalties, as specified in rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970, and the appellate authority against an order as specified in the Punjab Civil Services (Punishment and Appeal) Rules, 1970 is as per **Appendix 'C'**

- 8. Application of the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994.-** (1) In respect of the matters, which are not specifically provided in these rules, the members of the Service shall be governed by the provisions of the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994, as amended from time to time.

(2) The Punjab Civil Services (General and Common Condition of Service) Rules, 1994, at present in force, are contained in Appendix 'D'.

- 9. Interpretation.-** If any question arises as to the interpretation of these rules, the Government, in consultation with the Department of Personnel and Department of Finance shall decide the same.

APPENDIX 'A'

{See rules 1(3),3 and 5}

Serial Num- ber	Designation of the post	Number of Posts			Scale of pay+ Grade Pay (in rupees)	7th Central Pay Commission Scales as per FD. Letter dated 17th July, 2020
		Perma- nent	Tempo- rary	Total		
1.	Medical Laboratory Technician Grade-2	15	-	15	10300-34800+3600	25500
2	Clerk	8	-	8	10300-34800+3200	19900
3	Lab Attendant	16	-	16	5910-20200+1900	19900

APPENDIX 'B'

{See rule 6}

Serial Number	Designation of the Post	Percentage for appointment by		Method of appointment, qualifications and experience for appointment by	
		Direct appointm- ent	Promo- tion	Direct	Promotion
1.	Medical Laboratory Technician Grade-2	Hundred percent		<p>(1) Should have passed 10+2 examination with Science (Physics, Chemistry and Biology) or its equivalent from a recognised university or institution; and</p> <p>(2) Should possess a diploma in Medical Laboratory Technology of two years from a recognised university or institution; or</p> <p>Should possess a diploma in Medical Laboratory Technology of three years from a recognized university or institution after passing Matriculation Examination with science followed by one year work experience after</p>	

				Diploma; or Should possess a degree of B.Sc (Medical Laboratory Technology) from a recognised university or institution.	
2	Clerk	Eighty five percent	Fifteen percent	As specified in the Punjab Civil Service (General) and d Common Conditions of Service) Rules, 1994, as amended from time to time.	<p>(i) From amongst the Group 'C' Employees whose pay scale is less than the pay scale of Clerk having an experience of working as such for a minimum period of four years and who have passed Matriculation examination with Punjabi;</p> <p>(ii) qualifies a typing test in English and Punjabi, on computer to be conducted by the appointing authority or Department of Information Technology at a speed of thirty words per minute; and</p> <p>(iii) The probation shall be cleared only after possessing a course of at least one hundred and twenty hours with hands on experience in the use of Personal Computer or Information Technology in Office Productivity</p>

applications or Desktop
publishing applications
from Government
recognised institution or a
reputed institution, which
is ISO 9001 certified.

3	Lab Attendant	Hundred percent	Should have passed 10+2 with Science (Physics, Chemistry and biology) from a recognized university or institution.
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APPENDIX 'C'

(See rule 7)

Serial Num- ber	Designation of the post	Nature of *Penalty & @Order	Punishing Authority	<i>Appellate</i> Authority
1.	Medical Laboratory Technician Grade-2	(a) Minor i) Censure; ii) Withholding of his promotion; (iii) Recovery from his pay of the whole or part of any pecuniary loss caused by him to the Government by negligence or breach of orders.	Chemical Examiner	Secretary- in-charge
2.	Clerk	(iv) Withholding increment pay without cumulative effect;		
3.	Lab Attendant	(b) Major (v) withholding of increments of pay with cumulative effect or reduction to a lower stage in the time scale of pay for a specified period. With further direction as to whether or not the Government employed will earn increments of pay during the period of such reduction and whether on the expiry of such period reduction will or will not have the effect of posting the future increments of his pay. (vi) reduction to lower time-scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the Government		

employee to the time-scale of pay,
grade, post or service from which
he was reduced. With or without
further directions regarding
condition of restoration to the grade
or post or service from which the
Government employee was
reduced and his seniority and pay
on such restoration to that grade
post or service.

- (vii) compulsory retirement;
 - (viii) removal from service which shall
not be a disqualification for further
employment under the
Government;
 - (ix) dismissal from service which shall
ordinarily be a disqualification for
future employment under the
Government.
-

*in term of rules 5 of the Punjab Civil Services (Punishment and Appeal) Rules ,1970

@in terms of rule 15 of the Punjab Civil Services (Punishment and Appeal) Rules ,1970

APPENDIX 'D'

(See rule 8)

GOVERNMENT OF PUNJAB

DEPARTMENT OF PERSONNEL

(PERSONNEL POLICIES BRANCH -1)

NOTIFICATION

The 4th May, 1994

No. G.S.R. 33/ Const./Art 309/94.- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and all other powers enabling in this behalf, the Governor of Punjab is pleased to make the following rules regulating the recruitment and general and common conditions of service of persons appointed to Group 'A' , Group 'B' and Group 'C' services in connection with the affairs of the State of Punjab, namely :-

- 1. Short title, commencement and application.-** (1) These rules may be called the Punjab Civil Services (General and Common Conditions of Service) Rules, 1994.
 - (2) They shall come into force at once.
 - (3) They shall apply to all the posts in Group 'A', Group 'B' and Group 'C' services in connection with the affairs of the State of Punjab.
- 2. Definitions.-** In these rules, unless the context otherwise requires,-
 - (a) "appointing authority" means an appointing authority specified as such in the Service Rules made under Article 309 of the Constitution of India in respect of any service or post in connection with the affairs of the State of Punjab;
 - (b) "Board" means the Subordinate Services Selection Board, Punjab or any other authority constituted to perform its functions;
 - (c) "Commission" means the Punjab Public Service Commission;
 - (d) "direct appointment" means an appointment made otherwise than by promotion or by transfer of a person already in the service of Government of India or of a State Government;
 - (e) "Government" means the Government of the State of Punjab in the

Department of Personnel and Administrative Reforms;

- (f) "recognized university or institution" means,-
 - (i) any university or institution incorporated by law in any of the State of India; or
 - (ii) any other university or institution, which is declared by the government to be a recognized university or institution for the purposes of these rules;
- (g) "Service" means any Group 'A' Service, Group 'B' Service and Group 'C' Service constituted in connection with the affairs of the State of Punjab as per scales given in the Appendix;
- (h) "Service Rules" means the service rules made under Article 309 of the Constitution of India regulating the recruitment and conditions of service other than the general and common conditions of service of persons appointed to any service or post in connection with the affairs of the State of Punjab; and
- (i) (i) "War Hero" means a defence services personnel or a para-military forces personnel, who is a *bona fide* resident of Punjab State and has been killed or discharged from service on account of disability suffered by him on or after 1st January, 1999, while fighting in a war declared so by Government of India, in operations in Kargil or any other sector in J&K in the on going conflict with Pakistan or in any other operations which may be notified by the State Government to have been undertaken for preserving the unity and integrity of the Country; or
- (ii) a defence services personnel or a para-military forces personnel who was a *bona fide* resident of Punjab State and was posthumously decorated with Parmvir Chakra, Mahavir or Vir Chakra: provided that , -
 - (a) In exceptional instances, the cases of such War Heroes may also be covered, with the prior approval of the Department of Personnel who though *bona fide* residents of Punjab State are yet closely connected to the State of Punjab;
 - (b) In the case of War Heroes, falling in the category (ii) above,

the benefits to be given by the State Government will be restricted only to the first generation dependent members/next of the kin.

Note:- The Government reserves the right to include any other category of Awardees for the purpose of providing employment to the category of War Heroes, as may be notified.

3. Nationality, domicile and character of persons appointed to the Service.-

- (1) No person shall be appointed to the Service unless he is, -
- (a) a Citizen of India ; or
 - (b) a Citizen of Nepal; or
 - (c) a subject of Bhutan ; or
 - (d) a Tibetan refugee who came over to India before the 1st day of January, 1962 with the intention of permanently settling in India; or
 - (e) a person of India origin who has migrated from Pakistan, Burma, Sri Lanka and East African Countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire, Ethiopia and Vietnam with the intention of permanently settling in India:

Provided that a person belonging to any of the categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been given by the Government of Punjab in the Department of Home Affairs and Justice.

(2) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Commission or the Board, as the case may be, on his furnishing proof that he has applied for the certificate but he shall not be appointed to the Service unless the necessary certificate is given to him by the Government of Punjab in the Department of Home Affairs and Justice.

(3) No person shall be recruited to the Service by direct appointment, unless he produces:-

- (a) a certificate of character from the Principal Academic Officer of the university, college, school or institution last attended, if any, and similar certificates from two responsible persons not being his relative, who are well acquainted with him in his private life and are unconnected with his university, college, school or institution; and
- (b) an affidavit to the effect that he was never convicted for any criminal offence involving moral turpitude and that he was never dismissed or removed from service of any State Government or of Government of India, or of any Public Sector Undertaking.

4. Disqualifications.- (1) No person,-

- (a) who has entered into or contracted a marriage with a person having a spouse living ; or
- (b) who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the Service:

Provided that the Government, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Age.- (1) No person shall be recruited to the Service by direct appointment, if he is less than eighteen years or is more than thirty seven years of age in the case of technical and non-technical posts on the first day of January of the year immediately preceding the last date, fixed for submission of applications by the Commission or the Board, as the case may be:

Provided that where different lower and upper age limits have been specifically prescribed for posts in the Service Rules, these limits shall be made applicable for appointment to such posts:

Provided further that the upper age limit may be relaxed up to forty five years in the case of persons already in the employment of the Punjab Government or any Board, Corporation, Commission or Authority under it, other State Government or the Government of India:

Provided further that in the case of candidates belonging to Scheduled Castes and other Backward Class, the Upper age limit shall be such as may be fixed by the government from time to time.

- (2) In the case of ex-servicemen, the upper age limit shall be such as has been prescribed in the Punjab Recruitment of Ex-servicemen Rules, 1982 as amended from time to time.
- (3) In the case of appointment on compassionate grounds on priority basis, the upper age limit shall be such as may be specifically fixed by the Government from time to time.
- (4) In the case of appointment of a war Hero, who has been discharged from defence services or para-military forces on account of disability suffered by him or his widow or dependent member of his family, the upper age limit shall be such as may be specifically fixed by the Government from time to time.

5A. Increase in upper age limit.- Notwithstanding anything contained in rule 5, on and with effect from the commencement of the Punjab Civil Services (General and Common Conditions of Service) Amendment Rules, 2010, where in any other Service rules, or in Government instructions, the upper age limit for appointment to any Service or for any category or persons, if different from thirty-five years, it shall be deemed to have increased by two years.

6. Qualification etc.- Subject to the provisions of these rules, the number and character of posts, method or recruitment and educational qualifications and experience for appointment to a post or posts in a Service and the departmental examination, if any, shall be such as may be specified in the Service Rules made for that Service:

Provided that where appointment of Group 'A' and Group 'B' non-technical post is offered to a war hero, who has been discharged from defence services or para-military forces on account of disability suffered by him or his widow or dependent member of his family, under the instructions issued in this behalf by the Government, the educational qualification to be possessed by such person shall be graduation from a recognized university, Such person who is offered Group 'A' or Group 'B' or Group 'C' non-technical post, shall not, however, be required to possess experience of technical or non-technical post at the time of his initial appointment.

7. Probation.- (1) A person appointed to any post in the Service shall remain on probation for a period of three years, if recruited by direct appointment and one year if recruited otherwise:

Provided that, -

- (a) any period, after such appointment, spent on deputation on a corresponding or a higher post shall count towards the period of probation;
 - (b) in the case of an appointment by transfer, any period of work on an equivalent or higher rank, prior to appointment to the Service, may in the discretion of the appointing authority, be allowed to count towards the period of probation;
 - (c) any period of officiating appointment to the Service shall be reckoned as period spent on probation; and
 - (d) any kind of leave not exceeding six months during or at the end of period of probation, shall be counted towards the period of probation.
- (2) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory or he has failed to pass the departmental examination, if any, prescribed in Service Rules within a period not exceeding one and a half years from the date of appointment, it may,-
- (a) if such person is recruited by direct appointment, dispense with his service or revert him to a post on which he held lien prior to his appointment to the Service by direct appointment; and
 - b) if such person is appointed otherwise –
 - (i) revert him to his former post; or
 - (ii) deal with him in such other manner as the terms and conditions of the previous appointment permit.
- (3) On the completion of the period of probation of a person, the appointing authority may-
- (a) if his work and conduct has in its opinion been satisfactory –
 - (i) confirm such person, from the date of his appointment or from

-
- the date he completes his period of probation satisfactorily, if he is not already confirmed; or
- (ii) declare that he has completed his probation satisfactorily, if he is already confirmed; or
- (b) If his work or conduct has not been, in its opinion, satisfactory or if he has failed to pass the departmental examination, if any, specified in the Service Rules -
- (i) dispense with his services, if appointed by direct appointment or if appointed otherwise revert him to his former post, or deal with him in such other manner as the terms and conditions of his previous appointment may permit;
- (ii) extend his period of probation and thereafter pass such order as it could have passed on the expiry of the period of probation as specified in sub-rule (1) :

Provided that the total period of probation including extension, if any, shall not exceed four years, if recruited by direct appointment and three years if appointed otherwise.

8. Seniority.-The seniority *inter se* of persons appointed to posts in each cadre of a Service shall be determined by the length of continuous service on such post in that cadre of the Service:

Provided that in the case of persons recruited by direct appointment who join within the period specified in the order of appointment or within such period as may be extended from time to time by appointing authority subject to a maximum of four months from the date of order of appointment, the order of merit determined by the Commission or the Board, as the case may be, shall not be disturbed:

Provided further that in case a person is permitted to join the post after the expiry of the said period of four months in consultation with the Commission or the Board, as the case may be, his seniority shall be determined from the date he joins the post:

Provided further that in case any person of the next selection has joined a post in the cadre of the concerned Service before the person referred to in the preceding proviso joins, the person so referred shall be placed below all the

persons of the next selection, who join within the time specified in the first proviso:

Provided further that in the case of two or more persons appointed on the same date, their seniority shall be determined as follows : -

- (a) a person appointed by direct appointment shall be senior to a person appointed otherwise;
- (b) a person appointed by promotion shall be senior to a person appointed by transfer;
- (c) in the case of persons appointed by promotion or transfer, the seniority shall be determined according to the seniority of such persons in the appointment from which they were promoted or transferred ; and
- (d) in the case of persons appointed by transfer from different cadres their seniority shall be determined according to pay, preference being given to a person who was drawing a higher rate of pay in his previous appointment; and if the rates of pay drawn are also the same, then by their length of service in these appointments; and if the length of such service is also the same, an older person shall be shall be senior to a younger person :

Provided further that in the case of persons recruited by direct appointment in the same cadre obtaining equal marks, during same selection process, their inter-se-seniority shall be determined on the basis of their age. That is, an older person shall be senior to the younger person.

Note:- Seniority of persons appointed on purely provisional basis or on *ad hoc* basis shall be determined as and when they are regularly appointed keeping in view the dates of such regular appointment.

9. Liability of members of Service to transfer.- A member of a Service may be transferred to any post whether included in any other service or not, on the same terms and conditions as are specified in rule 3.17 of the Punjab Civil Service Rules, Volume-1 Part-1.

10. Liability to Serve.- A member of the Service shall be liable to serve at any place, whether within or out of the State of Punjab, on being ordered so to do by the appointing authority.

11. Leave, Pension and other matters.- In respect of pay , leave, pension and all other matters not expressly provided for in these rules, a member of Service shall be governed by such rules and regulations as may have been or may here after be adopted or made by the competent authority.

12. Discipline, penalties and appeals.- (1) In the matter of discipline, punishment and appeals, a member of a Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1970, as amended from time to time.

(2) The authority empowered to impose penalties specified in rule 5 of Punjab Civil Services (Punishment and Appeal) Rules, 1970, and the appellate authority thereunder in respect of the Government employee shall be such as may be specified in the Service Rules.

13. Liability for vaccination and re-vaccination.- Every member of the Service shall get himself vaccinated and re-vaccinated when Punjab Government so directs by a special or general order.

14. Oath of allegiance.- Every member of the Service, unless he has already done so, shall be required to take oath of allegiance to India and to the Constitution of India as by law established.

***14A Minimum Educational and other Qualifications for appointment to the post of Senior Assistant by:-**

Direct Appointment	Promotion
No person shall be given direct appointment to the post of Senior Assistant under the Punjab Government, unless he - (i) Possesses the Bachelor's Degree from a recognised University or Institution; and (ii) Qualifies in the competitive test specified by the appointing authority from time to time; and (iii) Possesses at least one hundred and twenty hours course with hands on experience in the use of Personal Computer or Information Technology in Office Productivity applications or Desktop Publishing	From amongst the clerks, who have an experience of working as such for a minimum period of four years.

applications from a Government recognised institution
or a reputed institution, which is ISO 9001, certified

OR

Possesses a Computer information Technology course
equivalent to 'O' level certificate of Department of
Electronics Accreditation of Computer Course
(DOEACC) of Government of India;

(2) The person so appointed as Senior Assistant in terms
of the Provisions of sub-rule (1), shall have before his
appointment, passed a test in English and Punjabi
respectively, typewriting on Computer to be conducted
by the Board or the appointing authority or the
Department of Information Technology, as the case may
be, at a speed of thirty words per minute:

Provided that where appointment of Group 'B' non-
technical post is offered to a War Hero, who has been
discharged from Defence Services or dependent member
of his family under the instructions issued in this behalf
by the Government, the educational qualifications to be
possessed by such person shall be Graduate from a
recognised University or Institution. However, such
person shall not be required to qualify the test in Punjabi
type-writing as provided in sub-rule (2).

15. Minimum educational and other qualifications.-

- (1) (i) No person shall be given direct appointment to the post of Clerk
under the Punjab Government unless he possesses the Bachelor's
Degree from a recognised university or institution; and
- (ii) Possesses at least one hundred and twenty hours course with hands
on experience in the use of Personal Computer or Information
Technology in Office Productivity applications or Desktop Publishing
applications from a Government recognized institution or a reputed
institution, which is ISO 9001, certified.

OR

Possesses a Computer information Technology course equivalent to 'O' level certificate of Department of Electronics Accreditation of Computer Courses (DOEACC) of Government of India;

- (2) The person so appointed as Clerk in terms of the provisions of sub-rule (1) shall have before his appointment passed a test in English and Punjabi, respectively typewriting on computer, to be conducted by the Board or the appointing authority or the Department of Information Technology, as the case may be, at a speed of thirty words per minute:

Provided that where appointment of Group 'C' non-technical post is offered to a War Hero, who has been discharged from Defence services; or dependent member of his family under the instructions issued in this behalf by the Government, the educational qualification to be possessed by such person shall be Graduate from a recognised university or institution. However, such person shall not be required to qualify the test in Punjabi typewriting as specified in sub-rule (2).

***15A. Minimum Educational and others Qualifications for appointment to the post of Senior Scale Stenographer by:-**

Direct appointment	Promotion
No Person shall be given direct appointment to the post of Senior Scale Stenographer under the Punjab Government unless he –	From amongst the Junior Scale Stenographers, who have an experience of working as such for a minimum period of one year.
(i) Possesses the Bachelor's Degree from a recognised university or Institution; and	Provided that if the Junior Scale Stenographer is not available then from amongst the Steno typists, who have an experience of working as such for a minimum period of four years; and
(ii) Qualifies in a Stenography test in four paras (two in Punjabi and two in English language) containing 250 words each as follows :-	ii) Qualifies in a Stenography test in four paras (two in Punjabi and
(a) the passage in Punjabi shall be	

dictated at a speed of 100 words per minute in Punjabi language required to be transcribed these (at typewriter/computer) at a speed of 20 words per minute; and

(b) The passage in English shall be dictated at a speed of 60 words per minute in English language required to be transcribed these (at typewriter/computer) at the speed of 12 words per minute.

(iii) The candidates committing not more than 4% mistakes in aggregate and only if he/she qualifies the stenography test in both the languages shall be considered to have qualified the test for appointment as Senior Scale Stenographer.

iv) Possesses at least one hundred and twenty hours course with hands on experience in the use of Personal Computer or Information Technology in Office Productivity applications or Desktop Publishing applications from a Government recognized Institution or a reputed Institution, which is ISO 9001, certified.

two in English language) containing 250 words each as follows:-

(a) the passage in Punjabi shall be dictated at a speed of 100 words per minute in Punjabi language required to be transcribed these (at typewriter/computer) at a speed of 20 words per minute; and

(b) The passage in English shall be dictated at a speed of 60 words per minute in English language required to be transcribed these (at typewriter/computer) at the speed of 12 words per minute.

(iii) The candidates committing not more than 4% mistakes in aggregate and only if he/she qualifies the stenography test in both the languages shall be considered to have qualify the test for promotion as Senior Scale Stenographer.

OR

Possesses a computer Information Technology course equivalent to 'O' level certificate of Department of Electronics Accreditation of Computer Course (DOEACC) of Government of India.

16. Minimum educational and other qualifications for appointment to the post of Steno-typist or Junior Scale Stenographer.- No person shall be given direct appointment to a post of a Steno-typist or a Junior Scale Stenographer under the Punjab Government unless he :-

- (a) Possesses Bachelor's Degree from a recognized University or Institution; and
- (b) Qualifies a test in Punjabi Stenography to be held by the Board or by the appointing authority at a speed specified by the Government from time to time; and
- (c) Possesses at least one hundred and twenty hours course with hands on experience in the use of Personal Computer or Information Technology in Office Productivity applications or Desktop Publishing applications from Government recognized institution or a reputed institution, which is ISO 9001, certified

OR

Possesses a Computer Information Technology Course equivalent to 'O' level certificate of Department of Electronics Accreditation of Computer Courses (DOEACC) of Government of India.

17. Knowledge of Punjabi Language.- No person shall be appointed to any post in any Service by direct appointment unless he has passed Matriculation examination with Punjabi as one of the compulsory or elective subjects or any other equivalent examination in Punjabi language, which may be specified by the Government from time to time:

Provided that where a person is appointed on compassionate grounds on priority basis under the instructions issued in this behalf by the government from time to time, the person so appointed shall have to pass an examination of Punjabi Language equivalent to Matriculation standard or he shall have to qualify a test conducted by the Language Wing of the Department of Education of Punjab Government within a period of six months from the date of his appointment:

Provided further that where educational qualifications for a post in any service are lower than Matriculation standard, then the person so appointed

shall have to pass an examination of Punjabi Language equivalent to Middle standard:

Provided further that where a War Hero, who has been discharged from Defence Services or paramilitary forces on account of disability suffered by him or his widow or dependent member of his family, is appointed under the instructions issued in this behalf by the Government, the person so appointed will not be required to possess aforesaid knowledge of Punjabi Language:

Provided further that where a ward of Defence Service Personnel, who is a *bona fide* resident of Punjab State, is appointed by direct appointment, he shall have to pass an examination of Punjabi Language equivalent to Matriculation standard or he shall have to qualify a test conducted by the Language Wing of the Department of Education of Punjab Government within a period of two years from the date of his appointment.

18. Promotion to Group 'A' and Group 'B' Service.-

- (1) (a) For promotion to the post as Head of Department would be decided strictly on the basis of merit-cum-seniority as per the instructions issued by the Government from time to time. The minimum benchmark for promotion for such post would be 'Very Good'. The officer who is graded, as 'Outstanding' would supersede the officer graded as 'Very Good'.
- (b) For promotion to post falling in the Group 'A' other than Head of Department, the minimum benchmark will be 'Very Good' as per the instructions issued by the Government from time to time. There shall be no supersession on the basis of merit.
- (c) For promotion to post falling in Group 'B' the minimum benchmark will be 'Good' and there shall be no supersession on the basis of merit.

- (2) **Debarring for consideration for promotion of a Government Employee who refuses to accept promotion.-** In the event of refusal to accept promotion by a member of a Service, he shall be debarred by the appointing authority from consideration for promotion for all the consecutive chances which may occur in future within a period of two years from the date of such refusal to accept promotion:

Provided that in a case where the appointing authority is satisfied that a member of the Service has refused to accept promotion under the circumstances beyond his control, it may exempt such a member for reasons to be recorded therefor in writing from the operation of this rule.

19. Power to relax.- Where the Government is of the opinion that it is necessary or expedient so to do, it may by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons:

Provided that the provisions relating to educational qualifications and experience, if any, shall not be relaxed.

20. Over-riding effect.-The provisions of these rules shall have effect notwithstanding anything to the contrary contained in any rules for the time being in force for regulating the recruitment and conditions of service for appointment to public service and posts in connection with the affairs of the State.

21. Interpretation.- If any question arises as to the interpretation of these rules, the Government shall decide the same.

A.S. CHATTHA,

Chief Secretary to Government of Punjab.

ANURAG AGARWAL,

Additional Chief Secretary to Government of Punjab,
Department of Home Affairs and Justice.

PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF HOME AFFAIRS AND JUSTICE

(JUDICIAL-2 BRANCH)

NOTIFICATION

The 23rd August, 2021

No. G.S.R. 124/Const./Art.309/Amd.(1)/2021.— In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Prosecution and Litigation (Group ‘A’) Service Rules, 2002, namely:-

RULES

1. (1) These rules may be called the Punjab Prosecution and Litigation (Group ‘A’) Service (First Amendment) Rules, 2021.

(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.

2. In the Punjab Prosecution and Litigation (Group ‘A’) Service Rules, 2002 (hereinafter referred to as the said rules), in rule 6, for sub-rule (2), the following shall be substituted, namely:-

“(2) The authority empowered to impose penalties as specified in rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules 1970 shall be the Secretary Incharge and the Appellate Authority there under in respect of the members of service shall be the Minister Incharge.”

3. In the said rules, for Appendix 'A', the following Appendix shall be substituted, namely:-

APPENDIX 'A'

[See rules 1 (3) and 3]

Serial Num- ber	Designation of the post	Number of Posts		Total Posts	Scale of pay+ Grade Pay (in rupees)	Scale of pay for member of service appointed after 17th July, 2020. as per 7th Central Pay Commission
		Perma- nent	Tempo- rary			
1.	Director, Prosecution and Litigation and Additional Secretary to Government of Punjab.	1	-	1	37400-67000+ 10000	--
2.	Additional Director, Prosecution and Litigation and Joint Secretary to Government of Punjab	1	-	1	37400-67000+ 8700	--
3.	Joint Director Prosecution and Litigation	7	-	7	15600-39100+ 8400	--
4.	Assistant Legal Remembrancer and Under Secretary to Government of Punjab.	1	-	1	15600-39100+ 6600	--
5.	District Attorney	42	-	42	15600-39100+ 7400	--
6.	Deputy District Attorney	184	-	184	15600-39100+ 5400 (For seventy-five per cent posts of Promotion quota)	47600/- (For twenty-five per cent posts of Direct recruitment)".

4. In the said rules, in Appendix 'B', in column 5,-
- (a) in serial No. 3, for the words "three years", the words "two years" shall be substituted;
 - (b) in serial No. 5, for the words "three years", the words "two years" shall be substituted; and
 - (c) in serial No. 6, for the words "five years", the words "four years" shall be substituted.

ANURAG AGARWAL,
Additional Chief Secretary to Government of Punjab,
Department of Home Affairs and Justice.

PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF HOME AFFAIRS AND JUSTICE

(JUDICIAL-2 BRANCH)

NOTIFICATION

The 23rd August, 2021

No. G.S.R. 125/Const./Art.309/Amd.(1)/2021.- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Prosecution and Litigation (Group-B) Service Rules 2010, namely:-

RULES

1. (1) These rules may be called the Punjab Prosecution and Litigation (Group-B) Service (First Amendment) Rules, 2021.

(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.

2. In the Punjab Prosecution and Litigation (Group-B) Service Rules, 2010 (hereinafter referred to as the said rules), in rule 7, for sub-rule (2), shall be substituted, namely:-

“(2) The Authority empowered to impose penalties as specified in rule 5 of the Punjab Civil Services (Punishment and Appeal) Rules 1970 shall be Secretary Incharge and the Appellate Authority there under in respect of the members of service shall be the Minister Incharge.”

3. In the said rules, for Appendix 'A', the following Appendix shall be substituted, namely:-

APPENDIX 'A'

[See rules 1 (3) and 3]

Serial Num- ber	Designation of the post	Number of Posts		Total Posts	Scale of the Pay (in rupees)	Scale of the pay for member of the service recruited on or after 17.07.2020 as per 7th Central pay Commission (in rupees)
		Perma- nent	Tempo- rary			
1.	Assistant District Attorney	399	-	399	10300-34800+4800 (Grade Pay)	35400/-".

Sd/-

ANURAG AGARWAL,

Additional Chief Secretary to Government of Punjab,
Department of Home Affairs and Justice.